

---

**IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH**  
**CENTRAL DIVISION**

---

**ROBERT REED and LAUREN SCOTT,**

**Petitioners,**

**vs.**

**JOHN W. HUBER,**

**Respondent.**

**ORDER AFFIRMING REPORT &  
RECOMMENDATION**

**Case No. 2:16-CV-248-DAK-DBP**

**Judge Dale A. Kimball**

**Magistrate Judge Dustin B. Pead**

---

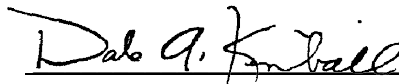
This case was assigned to United States District Court Judge Dale A. Kimball, who then referred it to United States Magistrate Judge Dustin B. Pead under 28 U.S.C. § 636(b)(1)(B). On June 16, 2016, Petitioners filed a Motion for Writ of Mandamus, and, on February 21, 2017, Petitioners filed a Motion to Vacate Order, Judgment, or Proceedings. On February 22, 2017, Magistrate Judge Pead issued a Report and Recommendation recommending that the court deny both motions, dismiss the Complaint for failure to state a claim upon which relief can be granted, and close the case.

A Magistrate Judge's Report and Recommendation is subject to *de novo* review by this court. *See* 28 U.S.C. § 636(b)(1)(B); *see also* Fed. R. Civ. P. 72(b). The Report and Recommendation notified Petitioners that any objection to the Report and Recommendation was required to be filed within fourteen days of receiving it. On March 13, 2017, Petitioner Robert Reed filed a Motion for Extension of Time to File Objections, which the court granted and extended the deadline for filing objections to March 29, 2017. Petitioners did not file any objections by the extended deadline, and, therefore, any objections are now untimely.

The court has reviewed Magistrate Judge Pead's Report and Recommendation *de novo*. The court affirms and adopts the Magistrate Judge's Report and Recommendation in its entirety. Accordingly, the Motion for Writ of Mandamus and the Motion to Vacate Order, Judgment, or Proceedings are both DENIED and the case is dismissed. The Clerk of Court is directed to close the case.

DATED this 30th day of March, 2017.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Dale A. Kimball", is written over a horizontal line.

DALE A. KIMBALL

United States District Judge